

AMENDED IN ASSEMBLY MARCH 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 207**

**Introduced by Assembly Member Maze**

January 28, 2003

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An act to add Section 594.37 to the Penal Code, relating to vandalism.

LEGISLATIVE COUNSEL'S DIGEST

AB 207, as amended, Maze. Vandalism.

Existing law defines certain destructive acts as vandalism when committed with respect to the real or personal property of another, as specified. Existing law also provides that it is a crime, punishable by imprisonment in the state prison or in a county jail, to commit various destructive acts with respect to a cemetery marker, tomb, monument, memorial, or grave.

This bill would provide that it is a crime, punishable by imprisonment in the state prison and a fine, to commit an act of vandalism with respect to a veterans' memorial, monument, or cemetery. This bill would provide that the fine imposed for a violation of these provisions would be *used for the repair and renovation of the damaged memorial, monument, or tomb with any remainder* deposited into the Veteran Hospital Fund, which it creates, and used, upon appropriation by the Legislature, to fund veterans' hospitals. Because this bill would create a new crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 594.37 is added to the Penal Code, to  
2 read:

3 594.37. Any person who knowingly commits any act of  
4 vandalism, as defined in Section 594, with respect to a veterans'  
5 memorial, monument, marker, cemetery, or tomb, is guilty of a  
6 felony punishable by imprisonment in the state prison and a fine  
7 not to exceed \_\_\_\_\_ dollars (\$\_\_\_\_\_). Every fine imposed and  
8 collected under this section shall be *used for the repair and*  
9 *renovation of the damaged memorial, monument, marker,*  
10 *cemetery, or tomb with any remainder* deposited into the Veteran  
11 Hospital Fund, which is hereby created in the General Fund and,  
12 upon appropriation by the Legislature, shall be used for the support  
13 of veterans' hospitals. *No more than 5 percent of the funds in the*  
14 *Veteran Hospital Fund shall be used to cover administrative costs.*

15 SEC. 2. No reimbursement is required by this act pursuant to  
16 Section 6 of Article XIII B of the California Constitution because  
17 the only costs that may be incurred by a local agency or school  
18 district will be incurred because this act creates a new crime or  
19 infraction, eliminates a crime or infraction, or changes the penalty  
20 for a crime or infraction, within the meaning of Section 17556 of  
21 the Government Code, or changes the definition of a crime within  
22 the meaning of Section 6 of Article XIII B of the California  
23 Constitution.

